

FILED

1 **Thomas P. Riley, SBN 194706**
2 **LAW OFFICES OF THOMAS P. RILEY, P.C.**
3 **First Library Square**
4 **1114 Fremont Avenue**
5 **South Pasadena, CA 91030-3227**

6 **Tel: 626-799-9797**
7 **Fax: 626-799-9795**
8 **TPRLAW@att.net**

9 **Attorneys for Plaintiff**
10 **Circuito Cerrado, Inc.**

2010 JUN -9 PM 12:13

CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES

BY _____

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UNITED STATES DISTRICT COURT
FOR THE
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

CIRCUITO CERRADO, INC.,

Plaintiff,

vs.

LUIS CIRU JIMENEZ and MIRNA
SOLEDAD ESCATO, INDIVIDUALLY
and d/b/a GITANA'S CAFE,

Defendants.

Case No. **CV 10-4248 ODW (JEMx)**

COMPLAINT

PLAINTIFF ALLEGES:

JURISDICTION

1. Jurisdiction is founded on the existence of a question arising under particular statutes. This action is brought pursuant to several federal statutes, including the Communications Act of 1934, as amended, Title 47 U.S.C. 605, *et seq.*, and The Cable & Television Consumer Protection and Competition Act of 1992, as amended, Title 47 U.S. Section 553, *et seq.*, and California B&P Section 17200, a California state statute.

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2. This Court has jurisdiction of the subject matter of this action pursuant to 28 U.S.C. Section 1331, which states that the District Courts shall original jurisdiction of all civil actions arising under the Constitution, laws, or treaties, of the United States.

3. This Court has personal jurisdiction over the parties in this action as a result of the Defendants' wrongful acts hereinafter complained of which violated the Plaintiff's rights as the exclusive commercial domestic distributor of the televised fight *Program* hereinafter set forth at length. The Defendants' wrongful acts consisted of the interception, reception, publication, divulgence, display, exhibition, and tortious conversion of said property of Plaintiff within the control of the Plaintiff in the State of California constituting an unfair business practice in violation of the law, including specific California state statutes, more particularly set forth below.

VENUE

4. Pursuant to Title 47 U.S.C. Section 605, venue is proper in the Central District of California, because a substantial part of the events or omissions giving rise to the claim occurred in this District and/or because, *inter alia*, all Defendants' reside within the State of California (28 U.S. C. § 1391 (b) and 28 U.S.C. § 84(c)(2)).

INTRADISTRICT ASSIGNMENT

5. Assignment to the Western Division of the Central District of California is proper because a substantial part of the events or omissions giving rise to the claim occurred in Los Angeles County and/or the United States District Court for the Central District of California has decided that suits of this nature, and each of them, are to be heard by the Courts in this particular Division.

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THE PARTIES

6. Plaintiff, Circuito Cerrado, Inc. is, and at all relevant times mentioned was, a Florida corporation with its principal place of business located at 12228 132nd Court, Miami, Florida 33186.

7. Plaintiff is informed and believes, and alleges thereon that Defendant, Luis Ciru Jimenez, is an owner, and/or operator, and/or licensee, and/or permittee, and/or person in charge, and/or an individual with dominion, control, oversight and management of the commercial establishment doing business as Gitana's Cafe operating at 1911 W. Pico Boulevard, Los Angeles, California 90006.

8. Plaintiff is informed and believes, and alleges thereon that Defendant, Mirna Soledad Escato, is an owner, and/or operator, and/or licensee, and/or permittee, and/or person in charge, and/or an individual with dominion, control, oversight and management of the commercial establishment doing business as Gitana's Cafe operating at 1911 W. Pico Boulevard, Los Angeles, California 90006.

COUNT I

(Violation of Title 47 U.S.C. Section 605)

9. Plaintiff Circuito Cerrado, Inc., hereby incorporates by reference all of the allegations contained in paragraphs 1-8, inclusive, as though set forth herein at length.

10. Pursuant to contract, Plaintiff Circuito Cerrado, Inc., was granted the exclusive nationwide commercial distribution (closed-circuit) rights to the *CONCACAF World Cup Qualifier Tournament*, including but not limited to the *Honduras v. El Salvador World Cup Qualifier Game*, telecast nationwide on Wednesday, June 10, 2009 (this included all interviews and game commentary encompassed in the television broadcast of the event, hereinafter referred to as the "*Program*").

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11. Pursuant to contract, Plaintiff Circuito Cerrado, Inc., entered into subsequent sublicensing agreements with various commercial entities throughout North America, including entities within the State of California, by which it granted these entities limited sublicensing rights, specifically the rights to publicly exhibit the *Program* within their respective commercial establishments in the hospitality industry (i.e., hotels, racetracks, casinos, bars, taverns, restaurants, social clubs, etc.).

12. As a commercial distributor and licensor of sporting events, including the *Program*, Plaintiff Circuito Cerrado, Inc., expended substantial monies marketing, advertising, promoting, administering, and transmitting the *Program* to its customers, the aforementioned commercial entities.

13. With full knowledge that the *Program* was not to be intercepted, received, published, divulged, displayed, and/or exhibited by commercial entities unauthorized to do so, each and every of the above named Defendants and/or their agents, servants, workmen or employees did unlawfully intercept, receive, publish, divulge, display, and/or exhibit the *Program* at the time of its transmission at their commercial establishment in Los Angeles, California located at 1911 W. Pico Boulevard, Los Angeles, California 90006.

14. Said unauthorized interception, reception, publication, exhibition, divulgence, display, and/or exhibition by each of the Defendants was done willfully and for purposes of direct and/or indirect commercial advantage and/or private financial gain.

15. Title 47 U.S.C. Section 605, *et seq.*, prohibits the unauthorized publication or use of communications (such as the transmission of the *Program* for which Plaintiff Circuito Cerrado, Inc., had the distribution rights thereto).

16. By reason of the aforesaid mentioned conduct, the aforementioned Defendants, and each of them, violated Title 47 U.S.C. Section 605, *et seq.*

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17. By reason of the Defendants' violation of Title 47 U.S.C. Section 605, *et seq.*, Plaintiff Circuito Cerrado, Inc., has the private right of action pursuant to Title 47 U.S.C. Section 605.

18. As the result of the aforementioned Defendants' violation of Title 47 U.S.C. Section 605, and pursuant to said Section 605, Plaintiff Circuito Cerrado, Inc., is entitled to the following from each Defendant:

- (a) Statutory damages for each willful violation in an amount to \$100,000.00 pursuant to Title 47 U.S.C. 605(e)(3)(C)(ii), and also
- (b) the recovery of full costs, including reasonable attorneys' fees, pursuant to Title 47 U.S.C. Section 605(e)(3)(B)(iii).

WHEREFORE, Plaintiff prays for judgment as set forth below.

COUNT II

(Violation of Title 47 U.S.C. Section 553)

19. Plaintiff's hereby incorporates by reference all of the allegations contained in paragraphs 1-18, inclusive, as though set forth herein at length.

20. The unauthorized interceptions, reception, publication, divulgence, display, and/or exhibition of the *Program* by the above named Defendants was prohibited by Title 47 U.S.C. Section 553, *et seq.*

21. By reason of the aforesaid mentioned conduct, the aforementioned Defendants, and each of them, violated Title 47 U.S.C. Section 553, *et seq.*

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22. By reason of the Defendants' violation of Title 47 U.S.C. Section 553, *et seq.*, Plaintiff Circuito Cerrado, Inc., has the private right of action pursuant to Title 47 U.S.C. Section 553.

23. As the result of the aforementioned Defendants' violation of Title 47 U.S.C. Section 553, Plaintiff Circuito Cerrado, Inc., is entitled to the following from each Defendant:

- (a) Statutory damages for each violation in an amount to \$10,000.00 pursuant to Title 47 U.S.C. 553 (c)(3)(A)(ii); and also
- (b) Statutory damages for each willful violation in an amount to \$50,000.00 pursuant to Title 47 U.S.C. 553 (c)(3)(B); and also
- (c) the recovery of full costs pursuant to Title 47 U.S.C. Section 553 (c)(2)(C); and also
- (d) and in the discretion of this Honorable Court, reasonable attorneys' fees, pursuant to Title 47 U.S.C. Section 553 (c)(2)(C).

WHEREFORE, Plaintiff prays for judgment as set forth below.

COUNT III

(Conversion)

24. Plaintiff's hereby incorporates by reference all of the allegations contained in paragraphs 1-23, inclusive, as though set forth herein at length.

25. By their aforesaid acts of interception, reception, publication, divulgence, display, and/or exhibition of the *Program* at their commercial establishment at the above-captioned address, the aforementioned Defendants, and each of them, tortuously obtained possession of the *Program* and wrongfully converted

1 same for their own use and benefit.

2
3 26. The aforesaid acts of the Defendants were willful, malicious, egregious, and intentionally designed
4 to harm Plaintiff Circuito Cerrado, Inc., by depriving Plaintiff of the commercial license fee to which
5 Plaintiff was rightfully entitled to receive from them, and in doing so, the Defendants subjected the Plaintiff
6 to severe economic distress and great financial loss.

7
8 27. Accordingly, Plaintiff Circuito Cerrado, Inc., is entitled to both compensatory, as well
9 as punitive and exemplary damages, from aforementioned Defendants as the result of the Defendants'
10 egregious conduct, theft, and conversion of the *Program* and deliberate injury to the Plaintiff.

11 **WHEREFORE, Plaintiff prays for judgment as set forth below.**

12
13 **COUNT IV**

14 **(Violation of California Business and Professions Code Section 17200, *et seq.*)**

15
16 28. Plaintiff hereby incorporates by reference all of the allegations contained in Paragraphs 1-27,
17 inclusive, as set forth herein at length.

18
19 29. By contract, Plaintiff Circuito Cerrado, Inc., was granted exclusive domestic commercial exhibition
20 closed-circuit rights to the *Program*.

21
22 30. Plaintiff did not authorize transmission, interception, reception, divulgence, exhibition, or display of
23 the *Program* to the general public, persons at large, or to the commercial establishment operated by the
24 foregoing Defendants, or any of them.

25
26 31. With full knowledge that the *Program* was not to be intercepted, received, published, divulged
27 displayed, and/or exhibited by commercial locations unlicensed (and therefore unauthorized) to do so, each
28 and every one of the above-named Defendants and/or their agents, servants, workmen, or employees did

1 unlawfully intercept, received, publish, divulge, display, and/or exhibit the *Program* at the real time
2 transmission of the *Program's* broadcast at their respective commercial establishments, as more particularly
3 indicated and identified above.

4
5 32. Plaintiff is informed and believes and alleges thereon that the Defendants and/or their agents,
6 servants, workmen, or employees performed the aforementioned acts knowingly, willfully and to confer a
7 direct or indirect commercial advantage and/or private financial gain to the Defendants and/or their agents,
8 servants, workmen, or employees, to the detriment and injury of Plaintiff and its business enterprise as a
9 commercial distributor and closed-circuit licensor of sports and entertainment television programming.

10
11 33. The Defendants' unauthorized interception, publication, divulgence and/or exhibition was done by
12 the Defendants and/or their agents, servants, workmen, or employees wantonly, recklessly, and without
13 regard whatsoever for the intellectual property rights of the Plaintiff.

14
15 34. The aforementioned unlawful acts of each of the Defendants and/or their agents, servants, workmen,
16 or employees constituted, unlawful, untrue, fraudulent, predatory, unfair, and deceptive trade practices, and
17 by reason of the aforementioned conduct, the Defendants, and each of them, violated California and
18 Professions Code Section 17200, *et seq.*

19
20 35. As a proximate result of the aforementioned acts attributable to the Defendants, Plaintiff has been
21 permanently deprived of the patronage of current, previous and potential customers of the sports and
22 entertainment programming it licenses commercially to the hospitality industry, all to its severe financial
23 injury and loss in a sum to be determined at trial.

24
25 36. By reason of the Defendants' violation of California Business and Professions Code Section 17200,
26 *et seq.*, Plaintiff Circuito Cerrado, Inc. is entitled to restitution for its injuries, the disgorgement and turn-
27 over of the Defendants' ill-gotten gains, as well as injunctive and declaratory relief, from each of the
28 aforementioned Defendants as may be made more appropriately determined at trial.

37. Plaintiff is entitled to its attorneys' fees from the Defendants for enforcing California Business and

1 Professions Code Section 17200 as it meets the standards of a private attorney general as specifically and
2 statutorily defined under California Civil Procedure Section 1021.5.

3
4 **WHEREFORE, Plaintiff prays for judgment as set forth below.**

5
6 **As to the First Count:**

- 7
8 1. For statutory damages in the amount of \$110,000.00 against the Defendants,
9 and each of them, and
10 2. For reasonable attorneys' fees as mandated by statute, and
11 3. For all costs of suit, including but not limited to filing fees, service of
12 process fees, investigative costs, and
13 4. For such other and further relief as this Honorable Court may deem just
14 and proper;

15
16 **As to the Second Count:**

- 17
18 1. For statutory damages in the amount of \$60,000.00 against the Defendants,
19 and each of them, and;
20 2. For reasonable attorneys' fees as may be awarded in the Court's
21 discretion pursuant to statute, and;
22 3. For all costs of suit, including but not limited to filing fees, service
23 of process fees, investigative costs, and;
24 4. For such other and further relief as this Honorable Court may deem just
25 and proper.

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As to the Third Count:

1. For compensatory damages in an amount according to proof against the Defendants, and each of them, and;
2. For exemplary damages against the Defendants, and each of them, and;
3. For punitive damages against the Defendants, and each of them, and;
4. For reasonable attorneys' fees as may be awarded in the Court's discretion pursuant to statute, and;
5. For all costs of suit, including but not limited to filing fees, service of process fees, investigative costs, and;
6. For such other and further relief as this Honorable Court may deem just and proper.

As to the Fourth Count:

1. For restitution to the Plaintiff in an amount according to and from the Defendants, for their ill-gotten gains, and;
2. For declaratory relief, and;
3. For prohibitory and mandatory injunctive relief, and;
4. For reasonable attorneys' fees as may be awarded in the Court's discretion pursuant to statute, and;
5. For all costs of suit, including but not limited to filing fees, service of process fees, investigative costs, and;
6. For such other and further relief as this Honorable Court may deem just and proper.
- 7.

Respectfully submitted,

Dated: 


LAW OFFICES OF THOMAS P. RILEY, P.C.

By: Thomas P. Riley, Esquire
Attorneys for Plaintiff
Circuito Cerrado, Inc.

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY

This case has been assigned to District Judge Otis D. Wright II and the assigned discovery Magistrate Judge is John E. McDermott.

The case number on all documents filed with the Court should read as follows:

CV10- 4248 ODW (JEMx)

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge

=====

NOTICE TO COUNSEL

A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).

Subsequent documents must be filed at the following location:

☒ **Western Division**
312 N. Spring St., Rm. G-8
Los Angeles, CA 90012

☐ **Southern Division**
411 West Fourth St., Rm. 1-053
Santa Ana, CA 92701-4516

☐ **Eastern Division**
3470 Twelfth St., Rm. 134
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

Circuito Cerrado, Inc.,

PLAINTIFF(S),

v.

Luis Ciru Jimenez and Mirna Soledad Escato,
individually and d/b/a Gitana's Cafe,

DEFENDANT(S).

CASE NUMBER

CV10-4248 ODW (JEMx)

SUMMONS

TO: THE ABOVE-NAMED DEFENDANT(S):

YOU ARE HEREBY SUMMONED and required to file with this court and serve upon plaintiff's attorney

Thomas P. Riley, Esq., whose address is:

Law Offices of Thomas P. Riley, P.C.
1114 Fremont Avenue
South Pasadena, CA 91030
Tel: (626) 799-9797

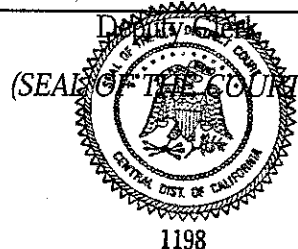
An answer to the ✕ COMPLAINT, • _____ AMENDED COMPLAINT,
(1st, 2nd, etc.)

• COUNTERCLAIM, • CROSS-CLAIM which is herewith served upon you within 21 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

CLERK, U. S. DISTRICT COURT

DATE: JUN - 9 2010

By NATALIE LONGORIA



DEFENDANTS

Luis Ciru Jimenez, et al.

COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT Los Angeles
(IN U.S. PLAINTIFF CASES ONLY)

ATTORNEYS (IF KNOWN)

Thomas P. Riley, SBN# 194706
Law Offices of Thomas P. Riley, P.C.
1114 Fremont Avenue
South Pasadena, CA 91030
Tel: (626) 799-9797

III. CITIZENSHIP OF PRINCIPAL PARTIES (PLACE AN x IN ONE BOX
(For Diversity Cases Only) FOR PLAINTIFF AND ONE FOR DEFENDANT)

- | | | | | | |
|--|------------|------------|--|------------|------------|
| Citizen of This State | PTF
□ 1 | DEF
□ 1 | Incorporated or Principal Place of
Business In This State | PTF
□ 4 | DEF
□ 4 |
| Citizen of Another State | □ 2 | □ 2 | Incorporated and Principal Place of
Business In Another State | □ 5 | □ 5 |
| Citizen or Subject of a
Foreign Country | □ 3 | □ 3 | Foreign Nation | □ 6 | □ 6 |

(PLACE AN x IN ONE BOX ONLY)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judgement

CHECK IF THIS IS A **CLASS ACTION** DEMAND \$ 150,000.00
UNDER F.R.C.P. 23

Check YES only if demanded in complaint:

JURY DEMAND: ☐ YES ☒ NO

VI. CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE. DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY.)

Violation of Telecommunications Statutes 47 USC 553; 47 USC 605

VII. NATURE OF SUIT (PLACE AN x IN ONE BOX ONLY)

OTHER STATUTES	CONTRACT	TORTS		FORFEITURE / PENALTY	BANKRUPTCY
<input type="checkbox"/> 400 State Reapportionment	<input type="checkbox"/> 110 Insurance	PERSONAL INJURY	PERSONAL INJURY	<input type="checkbox"/> 610 Agriculture	<input type="checkbox"/> 422 Appeal
<input type="checkbox"/> 410 Antitrust	<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 362 Personal Injury-Med Malpractice	<input type="checkbox"/> 620 Other Food & Drug	28 USC 158
<input type="checkbox"/> 430 Banks and Banking	<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 365 Personal Injury-Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property	<input type="checkbox"/> 423 Withdrawal
<input type="checkbox"/> 450 Commerce/ICC Rates/etc	<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	21 USC 881	28 USC 157
<input type="checkbox"/> 460 Deportation	<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 330 Federal Employers Liability	PERSONAL PROPERTY	<input type="checkbox"/> 630 Liquor Laws	PROPERTY RIGHTS
<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations	<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 340 Marine	<input type="checkbox"/> 370 Other Fraud	<input type="checkbox"/> 640 R.R. & Truck	<input type="checkbox"/> 820 Copyrights
<input type="checkbox"/> 810 Selective Service	<input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans)	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 371 Truth in Lending	<input type="checkbox"/> 650 Airline Regs	<input type="checkbox"/> 830 Patent
<input type="checkbox"/> 850 Securities/Commodities/Exchange	<input type="checkbox"/> 153 Recovery of Overpayment Of Veteran's Benefits	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 660 Occupational Safety/Health	<input type="checkbox"/> 840 Trademark
<input type="checkbox"/> 875 Customer Challenge 12 USC 3410	<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<input type="checkbox"/> 385 Property Damage Product Liability	LABOR	SOCIAL SECURITY
<input type="checkbox"/> 891 Agricultural Act	<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 360 Other Personal Injury		<input type="checkbox"/> 710 Fair Labor Standards Act	<input type="checkbox"/> 861 HIA (1395ff)
<input type="checkbox"/> 892 Economic Stabilization Act	<input type="checkbox"/> 195 Contract Product Liability			<input type="checkbox"/> 720 Labor/Mgmt. Relations	<input type="checkbox"/> 862 Black Lung(923)
<input type="checkbox"/> 893 Environmental Matters				<input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act	<input type="checkbox"/> 863 DIWC/DIWW (405(g))
<input type="checkbox"/> 894 Energy Allocation Act	REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS	<input type="checkbox"/> 740 Railway Labor Act	<input type="checkbox"/> 864 SSID Title XVI
<input type="checkbox"/> 895 Freedom of Information Act	<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus	<input type="checkbox"/> 790 Other Labor Litigation	<input type="checkbox"/> 865 RSI (405(g))
<input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice	<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 530 General	<input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	FEDERAL TAX SUITS
<input type="checkbox"/> 950 Constitutionality of State Statutes	<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 443 Housing/Accommodations	<input type="checkbox"/> 535 Death Penalty		<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)
<input checked="" type="checkbox"/> 890 Other Statutory Actions	<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 444 Welfare	<input type="checkbox"/> 540 Mandamus & Other		<input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
	<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 550 Civil Rights		
	<input type="checkbox"/> 290 All Other Real Property		<input type="checkbox"/> 555 Prison Condition		

VIII(a). IDENTICAL CASES: Has this action been previously filed and dismissed, remanded or closed? ☒ No ☐ Yes

If yes, list case number(s):

CV-71 (10/01)

CIVIL COVER SHEET - Continued on Reverse

Page 1 of 2

FOR OFFICE USE ONLY: **G** Pro Hac Vice fee: **G** paid **G** not paid

Applying IFP.

Judge

Mag. Judge

CV 10-4248

CIVIL COVER SHEET
(Reverse Side)

AFTER COMPLETING THE FRONT SIDE OF FORM JS-44C, COMPLETE THE INFORMATION REQUESTED BELOW.

VIII(b). RELATED CASES: Have any cases been previously filed that are related to the present case? X No Yes

If yes, list case number(s): _____

CIVIL CASES ARE DEEMED RELATED IF A PREVIOUSLY FILED CASE AND THE PRESENT CASE:

- (CHECK ALL BOXES THAT APPLY)
- ☐ A. Appear to arise from the same or substantially identical transactions, happenings, or events;
- ☐ B. Involve the same or substantially the same parties or property;
- ☐ C. Involve the same patent, trademark or copyright;
- ☐ D. Call for determination of the same or substantially identical questions of law, or
- ☐ E. Likely for other reasons may entail unnecessary duplication of labor if heard by different judges.

IX. VENUE: List the California County, or State if other than California, in which **EACH** named plaintiff resides (Use an additional sheet if necessary)

☐ CHECK HERE IF THE US GOVERNMENT, ITS AGENCIES OR EMPLOYEES IS A NAMED PLAINTIFF.

Florida

List the California County, or State if other than California, in which **EACH** named defendant resides. (Use an additional sheet if necessary).

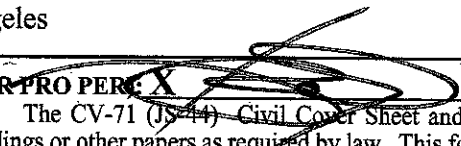
☐ CHECK HERE IF THE US GOVERNMENT, ITS AGENCIES OR EMPLOYEES IS A NAMED DEFENDANT.

Los Angeles

List the California County, or State if other than California, in which **EACH** claim arose. (Use an additional sheet if necessary)

NOTE: In land condemnation cases, use the location of the tract of land involved.

Los Angeles

X. SIGNATURE OF ATTORNEY (OR PRO PER):  Date 8/7/10

NOTICE TO COUNSEL/PARTIES: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

Key to Statistical codes relating to Social Security Cases:

<u>NATURE OF SUIT CODE</u>	<u>ABBREVIATION</u>	<u>SUBSTANTIVE STATEMENT OF CAUSE OF ACTION</u>
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))